



City of Annapolis

Department of Planning & Zoning

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Historic Preservation Commission

May 14, 2013

Closed Session

Statement: Pursuant to the requirement of Maryland Annotated Code, State Government Article Section § 10-508 (a) (7): this statement is included in these minutes:

A closed session of the Historic Preservation Commission was held at 6:38pm, Tuesday, May 14, 2013 in City Council Chambers.

Commissioners Present: *Chair Kennedy, Vice Chair Leahy, Finch, Zeno, Toews, Jones*

Staff Present: *Assistant City Attorney Elson, Craig, Hook-Recorder*

Ms. Zeno moved to close this session for the purpose of consulting with counsel to obtain legal advice on a legal matter. Ms. Jones seconded the motion. On a roll call vote by the majority of the members present the session was closed.

The authority under which the session was closed was Maryland Annotated Code, State Government Article, Section § 10-508 (a) (7):

The session topic was:

Discussion of a recent court decision.

Ms. Jones moved to adjourn the closed session at 7:16pm. Ms. Zeno seconded the motion. The motion passed unanimously in a vote of 6-0.

The Historic Preservation Commission (HPC) of the City of Annapolis reconvened its regularly scheduled meeting on May 14, 2013 in City Council Chambers at 7:35pm.

Mr. Kabriel was not present at the closed hearing but joined the HPC at its regular meeting.

Chair Kennedy introduced the commissioners and staff. She stated the Commission's purpose pursuant to the Authority of Article 66B, Section 8.01-8.17 of the Annotated Code of Maryland and administered the oath en mass to all persons intending to testify at the hearing.

C. ANNOUNCEMENTS

Ms. Craig thanked the HPC members that attended the May 11, 2013 Preservation Month Discussion with Gordon Bock on the Vintage House. She also thanked the Historic Annapolis Foundation (HAF) and Preservation Maryland who assisted with the discussion effort. She noted that HAF has several copies of the book available for anyone interested in a copy.

D. VIOLATIONS

The HPC agreed to discuss the violations at its May 23, 2013 administrative hearing.

E. CONSENT DOCKET

1. **163 Duke of Gloucester Street/Maynard Burgess House** – City of Annapolis – Construct rear addition, grading, installation of HVAC condenser unit in the rear yard and exterior siding repair and conservation. **Approved as submitted.**

Vice Chair Leahy moved to approve the application for 163 Duke of Gloucester Street/Maynard Burgess House as submitted on the consent docket. Ms. Zeno seconded the motion. The motion passed unanimously in a vote of 7-0.

F. NEW BUSINESS

1. **17 Dean Street** – Kenneth Gummerson – Replace siding, windows and door on rear shed.

Mr. Gummerson apologized for the time and money that this misunderstanding of the process has generated. He explained that his parents purchased the house thirty years ago and the house included vinyl siding at the time of purchase. He described the rotting deterioration on the door and initially wanted to replace only the door as a result but decided to replace the siding as well. He provided a photograph of the deteriorated siding for members to review along with samples of the proposed siding. The replacement is intended to restore the house to its original condition.

Staff: Ms. Craig restated her written comments and found that the fiberglass door, vinyl clad windows and installation of vinyl siding is not consistent with the guidelines. She recommends that the applicant repair/rehabilitate the wood siding as consistent with guidelines D.5 and D.15. She also recommended the replacement of the windows and door should include wood materials.

Public: Public testimony opened at 7:46pm and those speaking are listed below.

Name	Address	In Favor	In Opposition
Donna Ware	HAF		X

No one else from the public spoke in favor or opposition of the application so **Chair** Kennedy declared the public testimony closed at 7:55pm.

Commissioners: **Chair** Kennedy asked for clarification on the existing condition of the shed to which the applicant described in detail. The applicant is willing to replace the vinyl siding and the wood windows in kind. Ms. Finch explained that the wood on the window appears to be in good condition but the vinyl siding appears not to have a long life span; is brittle and in poor condition so replacement in kind may not be the best long-term solution. **Vice Chair** Leahy believes that the applicant has shown evidence that the vinyl existed on the shed so can support the application as submitted.

Vice Chair Leahy noted that whereas the application for 17 Dean Street complies with Administrative Approval Section 2 Subsection (a) regarding replacement in kind of the vinyl siding; and the replacement of doors and windows will be full divided light wood in compliance with guideline D.16, that the applicant should provide specification sheet as indicated, move approval as submitted. Ms. Zeno seconded the motion. The motion passed unanimously in a vote of 5-0. Ms. Jones and Ms. Finch abstained from the voting.

The following Commissioners made a site visit on this application.

Name
Leahy, Zeno, Jones, Toews

Chair Kennedy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
A	Application time date stamped 4/18/13, 3:57pm
B	Staff Memorandum dated 5/8/13
C	HAF Comments dated 5/14/13
D	Photograph of deteriorated siding
E	Siding sample

- 2. 25 Market Space/Market House** – City of Annapolis & ArtWalk – Temporary installation of four (4) artistic installed 36” square metal café tables with chairs around the Market House perimeter and adjacent Hopkins Plaza.

Mr. David Jarrell stated that the Maryland Historical Trust (MHT) as the easement holder has not submitted a letter but is expected to do so in the next week. **Chair** Kennedy noted that this is important because the HPC is unable to make a decision on the application until the letter is received so the application will be heard but the record will remain open to accept the MHT letter as well as written testimony from the Art in Public Places Commission (AIPPC).

Mr. Jarrell noted that the application is submitted by the City and ArtWalk whose cofounders are Mr. Chuck Walsh/Ms. Sally Comport. ArtWalk will describe the proposed artwork and Ms. Lisa Greico/Mr. Richard Sharoff will discuss the exterior furniture.

Mr. Chuck Walsh explained that ArtWalk appeared before the HPC six years ago as a joint applicant with the City on the Charter 300 exhibit. He noted there is opposition regarding the specific components of this project but he plans to demonstrate that the project does respect the character defining features of the Market House roofline. He believes that the proposal will benefit the Market House and is an artistic design. He intends to work with AIPPC on the project if the HPC approves it. The proposed artwork is temporary and will hang for one year from the beginning of the celebration of the new Market House opening. He asked that the HPC allow ArtWalk the opportunity to show that the Market House can be an economic driver to the downtown area.

Ms. Comport is very familiar with the look and interior of the Market House. She has reviewed the roofline and the streetscape. She has listened and learned valuable lessons from the HPC in regards to preservation. She has tried to be respectful with what is being proposed but wanted to introduce a change to the Market House that will be enjoyed by all who patronize it. The design points out the four door openings without being overwhelming. She described the proposed color forms that are cloth covered frames and can withstand 90mph winds as well as snow loads. The color forms will be engineered so to minimize the impact to the roofline. She suggested lighting underneath the eave that extenuates the horizontal roofline. There will be some kinetic energy added to the outside of the building to suggest the Market House is open, but without flashing signs.

Mr. Richard Sharoff, Marketing, is active in marketing and has been very involved with the Market House since 2009. He stated that the Market House has been a failure over the passed 10 years and believes that this rendition will be successful. He further believes that the lack of visibility and the uninviting nature of the building has been part of the past failures. He urged the HPC to approve the application.

Staff: Ms. Craig restated her written comments and recommends conditional approval of the application subject to the conditions outlined in the staff memorandum.

Public: Public testimony opened at 8:42pm and those speaking are listed below.

Name	Address	In Favor	In Opposition
Leonard Koscianski	12 Granville Road	Spoke On	
Arianne Bennett	2425 18 th Street N.W. Washington, 20009	X	
Connie Delsignore	26 West Street	X	
James Davies	18 Hill Street	X	
Carol Alexander	13 Franklin Street	X	
Tillman Johnson	95 Shipwright Street	X	
Scott Allan	108 Severn Avenue	X	
Stewart Cohen	123 Spa View Avenue	X	
Ian Walsh	17 Cedar Park	X	
Donna Ware	HAF		X
Olivia Comport	208 Providence Road	X	
Peter Brown	202 Divinity Lane	X	
Jody Danek	2981 Friends Road	X	
Rebecca Ridout	912 Wells Avenue, 2B		X
Lindsey Bulin	202 Upland Lane Centreville, MD	X	
Gavin Buckley	6 Stewart Avenue	X	
Harvey Blonder	2820 Solomons Island Rd. Edgewater 21037	X	
Guillermo Barrios	712 Appomattox Rd	X	

No one else from the public spoke in favor or opposition of the application so **Chair** Kennedy declared the public testimony closed at 9:20pm with an exception of the acceptance of the MHT easement letter and any written comments from the AIPPC with a deadline of June 6, 2013.

Mr. Jarrell waived the right to the 45-day rule and agreed to the continuation of the application.

The following Commissioners made a site visit on this application.

Name
Kennedy, Leahy, Zeno, Jones, Toews, Kabriel

Chair Kennedy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
A	Application dated 4/18/13,
B	Revised Staff Memorandum dated 5/13/13
C	Supplemental Narrative Public Comments time date stamped 5/16/13, 3:48pm
D	Nyman Letter
E	Franyo Letter
F	HAF Comments dated 5/14/13
G	Delsignore Email
H	Market House Plans
I	Letter from AIPPC dated 5/14/13
J	Letter from P&Z regarding exterior furniture dated 5/14/13
K	Model with Color Forms
L	Fiddler Letter of Support dated 5/8/13
M	Photograph from Annapolis Artist Kevin Fleming, Page xiii
N	Clarification on the Plan View

The Commission recessed at 9:25pm and reconvened at 9:33pm.

Exterior Furniture

Ms. Grieco described the proposed exterior furniture for the Market House proposal to add ten (10) 36" tables with four chairs each to be placed in a diamond formation so that all the diners will have opportunity to see the water. The tables would be placed between cast iron columns so that they are uniformly distributed with seven on the front side and three on the back. The chairs are made of steel and all elements of the furniture would be anchored down.

Staff: Ms. Craig restated her written comments and recommends approval subject to the condition that the furniture is minimally attached as possible.

Commission: **Chair** Kennedy reopened the testimony portion to ask the applicant questions regarding the necessity of anchoring the furniture down. Mr. Jarrell noted that this is not café furniture so will be available to all City residents for use and there is not enough space inside to store the furniture. **Chair** Kennedy closed the testimony portion of the meeting. Ms. Finch expressed concern regarding the closeness of each furniture piece referring to guideline C.12 regarding clutter and the scale of the furniture. Mr. Kabriel concurs with Ms. Finch's comments. The remaining Commissioners support the application as presented.

Vice Chair Leahy noted that whereas the application for 25 Market Space as amended to refer only to the exterior sidewalk furniture complies with guidelines C.2, moved approval of the application as amended. Mr. Toews seconded the motion. The motion passed in a vote of 5-1 (Finch dissents and Kabriel abstained)

G. OLD BUSINESS

2. 82 Conduit Street – Alison Whitacre/Cornerstone Builders, Inc. – Construct second story addition.

Chair Kennedy noted that the application for 82 Conduit Street was continued from the April 9, 2013 regular meeting.

Chair Kennedy accepted the following exhibits into the record to add to the original exhibit list of April 9, 2013.

Exhibit Number	Exhibit Types
F	Letter and Revised Plans dated April 30, 2013
G	Revised Staff Report dated May 8, 2013
H	Hayman Letter dated May 8, 2013
I	Preservation Maryland Letter dated May 8, 2013
J	Lewis Letter dated May 9, 2013
K	Secretary of the Interior Standards

Chair Kennedy clarified that when the public testimony portion is opened, those testifying should only testify on the revisions to the application because all the other testimony is in the record.

Ms. Whitacre explained that the owner has worked with Ms. Craig and considered the HPC's input to accomplish a restoration that complies with HPC guidelines in order to regain a portion of the living space that was lost in the fire. Since the last submittal, the applicant redesigned the roof to allow a smaller footprint to bring it to 50% below current roof area as well as setting it back so that there is minimal visibility. She made available the color samples for the project for the HPC to review.

Staff: Ms. Craig restated her written comments noting specifically the guidelines addressed by the applicant and recommended approval of the application as presented.

Public: Public testimony opened at 10:05pm and those speaking are listed below.

Name	Address	In Favor	In Opposition
Barbara Brown	75 Conduit Street	Spoke On	
Louise Hayman	1 Cumberland Court		X
Donna Ware	HA, Inc.		X
Tom Lewis	84 Conduit Street	Spoke On	

Ms. Whitacre commented on the public testimony indicating that the applicant has worked hard to hide the addition and preserve the Greek temple form. She addressed the hardship comment stating that there has been a reduction in livable space. She asked that the HPC refer to the proposed view as it relates to the streetscape.

Commissioners: **Chair** Kennedy requested Commissioners view on the how the application complies with B.6. Ms. Jones is persuaded that the application complies with B.6. Mr. Toews, Mr. Kabriel and **Vice Chair** Leahy agree. Ms. Zeno agrees with Ms. Ware's comments that the application does not meet the SOI standards as well as guideline B.1. She does not agree with adding a rooftop addition to the existing house because it would change the historic character of the house. Ms. Finch agrees with these comments.

Vice Chair Leahy noted whereas the application for 82 Conduit Street is in compliance to guidelines A.1, A.3, B.1, B.2, B.6, B.8, D.3, D.6, D.9, D.10, D.10a, D.15, D.18, D.12, D.23, D.24, D.28a, D.28b and D.30, moved approval as submitted and amended. Mr. Kabriel seconded the motion. The motion passed unanimously in a vote of 5-2.

F. ADJOURNMENT

Vice Chair Leahy moved to adjourn the meeting at 10:42pm. Ms. Jones seconded the motion. The motion passed unanimously in a vote of 7-0.

Tami Hook, Recorder